



St. Charles Parish
Meeting Agenda
Parish Council
Supplemental

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
scpcouncil@st-charles.la.us
<http://www.stcharlesparish-la.gov>

Council Chairman Wendy Benedetto
Councilmembers Carolyn K. Schexnaydre, Snookie Faucheux,
Terrell D. Wilson, Mary Tastet, Paul J. Hogan, Larry Cochran,
Traci A. Fletcher, Julia Fisher-Perrier

Monday, February 18, 2013 **6:00 PM** **Council Chambers, Courthouse**
Final

SUPPLEMENTAL

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- S* 1 2013-0046 (2/18/2013, Schexnaydre, Faucheux, Wilson, Tastet, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier)
In Memoriam: Mr. Gerald A. "Jerry" Spohrer
Additional Data
- S* 2 2013-0051 (2/18/2013, Fletcher)
In Recognition: Ronald J. Perry, Planning & Zoning Commission
Additional Data
- S* 3 2013-0050 (2/18/2013, Benedetto)
In Recognition: Timothy S. Blanchard, Zoning Board of Adjustments
Additional Data

ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

Monday, March 11, 2013, 6:00 pm, Council Chambers, Courthouse, Hahnville

- S* 4 2013-0057 (2/18/2013, Hogan)
An ordinance to amend the St. Charles Parish Code of Ordinances, Chapter 2, Administration, Article I. In General, Section 2-12. Procedures for the procurement of architects and engineers, by removing Sub-section (b).
Legislative History:

2/18/13	Council Member(s)	Introduced
- S* 5 2013-0058 (2/18/2013, Benedetto)
An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of "KEEP OFF MEDIAN" signs along the median of Ormond Boulevard, from Highway 61 (Airline Drive) to LA 48 (River Road) in Destrehan.
Legislative History:

2/18/13 Council Member(s) Introduced

S* 6 2013-0059 (2/18/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance approving and authorizing a Home Occupation under the operation of Lawrence Grabert - "J.T's A/C & Heat" - a heating and air conditioning contractor - at 705 Magnolia Ridge Rd, Boutte.

Legislative History...

12/26/12	Department of Planning & Zoning	Received/Assigned PH	
2/7/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
2/7/13	Planning Commission	Recommended Approval	Parish Council
2/18/13	Parish President	Introduced	

S* 12 2013-0060 (2/18/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance approving and authorizing a Home Occupation under the operation of Robert Donald Meyer - "Louisiana Tree Company" - a licensed arborist- at 106 Judy Court, Montz.

Legislative History...

1/3/13	Department of Planning & Zoning	Received/Assigned PH	
2/7/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
2/7/13	Planning Commission	Recommended Approval	Parish Council
2/18/13	Parish President	Introduced	

S* 18 2013-0061 (2/18/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance approving and authorizing a Home Occupation under the operation of Wendy and Mark Abate - "Xtreme Inflatables, LLC" - space walk rentals- at 146 Dixie Dr., Des Allemands.

Legislative History...

1/5/13	Department of Planning & Zoning	Received/Assigned PH	
2/7/13	Department of Planning & Zoning	Rcmd'd Approval w/Stip.	Planning Commission
Approval with the stipulation that no more than 2 inflatables are operated on the subject property one time.			
2/7/13	Planning Commission	Rcmd'd Approval w/Stip.	Parish Council
Approval with the stipulation that no more than 2 inflatables are operated on the subject property one time.			
2/18/13	Parish President	Introduced	

S* 24 2013-0062 (2/18/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance approving and authorizing a Home Occupation under the operation of Tina Berteau - "Studio 124" - a hair salon- at 124 Ducayet Drive, Destrehan.

Legislative History...

12/26/12	Department of Planning & Zoning	Received/Assigned PH	
2/7/13	Department of Planning & Zoning	Rcmd'd Approval w/Stip.	Planning Commission
Approval with the stipulation that the business is in compliance with building codes.			
2/7/13	Planning Commission	Rcmd'd Approval w/Stip.	Parish Council
Approval with the stipulation that the business is in compliance with building codes.			
2/18/13	Parish President	Introduced	

S* 31 2013-0063 (2/18/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance approving and authorizing a Home Occupation under the operation of Richard Dupont - "Doberman Security & Alarm Company, LLC" - a security and alarm company- at 81 Rosedown Drive, Destrehan.

Legislative History:

1/7/13	Department of Planning & Zoning	Received/Assigned PH	
2/7/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
2/7/13	Planning Commission	Recommended Approval	Parish Council
2/18/13	Parish President	Introduced	

S* 38 2013-0064 (2/18/2013, St. Pierre, Jr., Department of Finance)

An ordinance to amend the 2013 Consolidated Operating and Capital Budget to add revenues and associated expenses for Fund 001 - General Fund - District Court -Division C (001-400206), Planning and Zoning (001-400610), Coastal Zone Management (001-400611), General Government Buildings (001-400640), Retired Employees Group Insurance (001-400670), Emergency Operations Subsidiary (001-410711), Fund 105 - Road Lighting, Fund 113 - Recreation, Fund 310 - Westbank Hurricane Protection Levee, and Fund 313 LCDBG Public Facilities Construction Fund in the total amount of \$15,171,107 unexpended in 2012 for various projects and services.

Legislative History:

2/18/13	Parish President	Introduced
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MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.**MEETINGS**

SPECIAL ZONING BOARD OF ADJUSTMENT MEETING: Thursday, 3/7/13, 6PM Council Chambers

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.

The Parish of St. Charles

IN MEMORIAM

WHEREAS, Mr. Gerald A. "Jerry" Spohrer worked tirelessly for many decades to improve the protection of lives and property in South Louisiana by serving as a leader in several agencies focused on coastal flood management; and,

WHEREAS, Mr. Spohrer served as the Executive Director of the West Jefferson Levee District for more than 18 years and then managed the Southeast Louisiana Flood Protection Authority - West and assisted in the reorganization of the New Orleans-area levee districts following Hurricane Katrina; and,

WHEREAS, prior to Mr. Spohrer leading the West Jefferson Levee District, the hurricane protection system was in its infancy and consisted of little more than a few low earthen levees. It was not until he became the West Jefferson Levee District's director that flood protection on the West Bank finally began to come into its own; and,

WHEREAS, under Mr. Spohrer's leadership, active construction began on the system. It initially ran from the west side of the Harvey Canal to Bayou Segnette State Park in Westwego. He oversaw its growth into what became the West Bank and Vicinity Hurricane Protection Project, which expanded westward to include Lake Cataouatche and parts of St. Charles Parish and eastward to include the east side of the Harvey Canal, Algiers, and parts of Plaquemines Parish; and,

WHEREAS, in 2010, Mr. Spohrer served as Special Assistant to the President and provided leadership and guidance on the planning and construction projects of the new authority; and,

WHEREAS, Mr. Spohrer passed away on December 24, 2012 and will always be remembered for his many contributions to the Southeast Louisiana Flood Protection Authority, its member levee districts and the people of the West Bank of Jefferson, Orleans, Plaquemines, and St. Charles Parishes; and,

WHEREAS, Mr. Spohrer always considered the lives and property of the residents of St. Charles Parish while planning and increasing the protection afforded by the West Bank and Vicinity Project.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, duly assembled on this 18th day of February, 2013, do hereby express our sincere sympathy to the family of

GERALD A. "JERRY" SPOHRER

December 21, 1945 - December 24, 2012

MAY HE REST IN PEACE

"PARISH OF ELENTY"
created in 1807 from the county of the
"German Coast", a parish of
unprecedented economic and social
development, known for its
hospitality, rural living and sporting
opportunities... with the added
distinction of being located
on both sides of the
Mighty Mississippi River.

V.J. ST. PIERRE, JR.
PARISH PRESIDENT

CLAYTON FAUCHEUX, JR.
COUNCILMAN AT LARGE, DIV. B

TERRELL D. WILSON
COUNCILMAN, DISTRICT I

MARY TASTET
COUNCILWOMAN, DISTRICT II

WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

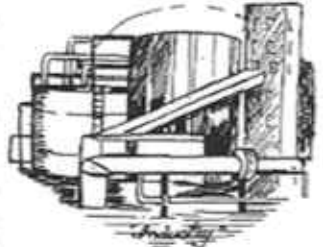
CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

PAUL J. HOGAN
COUNCILMAN, DISTRICT IV

LARRY COCHRAN
COUNCILMAN, DISTRICT V

TRACI A. FLETCHER
COUNCILWOMAN, DISTRICT VI

JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

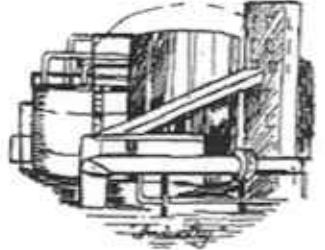


The Parish of St. Charles

February 18, 2013



*The St. Charles Parish Council
and the Parish President
Deeply Appreciate
Your Years of Service*



PLANNING & ZONING COMMISSION

June 6, 2011 – January 4, 2013

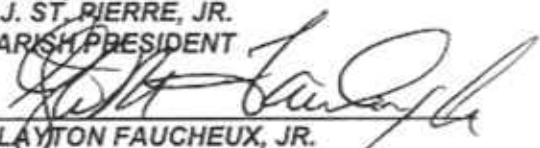


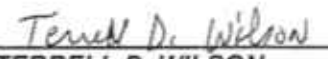
RONALD J. PERRY

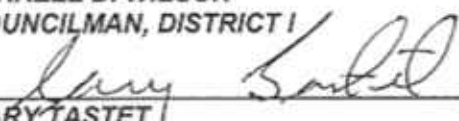


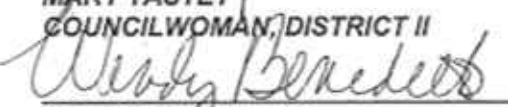
"PARISH OF PLENTY"
created in 1807 from the county of the
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on both sides of the
Mighty Mississippi River.



V.J. ST. PIERRE, JR.
PARISH PRESIDENT

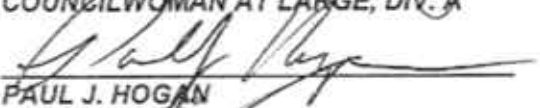

CLAYTON FAUCHEUX, JR.
COUNCILMAN AT LARGE, DIV. B

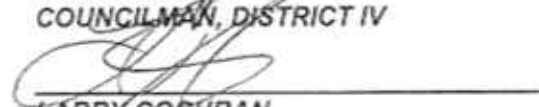

TERRELL D. WILSON
COUNCILMAN, DISTRICT I


MARY TASTET
COUNCILWOMAN, DISTRICT II

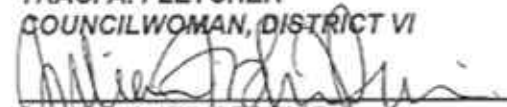

WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III


CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A


PAUL J. HOGAN
COUNCILMAN, DISTRICT IV


LARRY COCHRAN
COUNCILMAN, DISTRICT V


TRACI A. FLETCHER
COUNCILWOMAN, DISTRICT VI


JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

The Parish of St. Charles

February 18, 2013

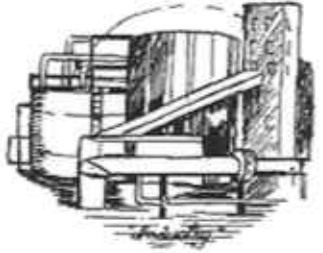


*The St. Charles Parish Council
and the Parish President
Deeply Appreciate
Your Years of Service*



ZONING BOARD OF ADJUSTMENT

December 7, 2008 – December 7, 2012



TIMOTHY S. BLANCHARD



*"PARISH OF PLENTY"
created in 1807 from the county of the
"German Coast", a parish of
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Larry Cochran

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COUNCILMAN, DISTRICT V

Traci A. Fletcher

TRACI A. FLETCHER
COUNCILWOMAN, DISTRICT VI

Julia Fisher Perrier

JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

2013-0057

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Code of Ordinances, Chapter 2, Administration, Article I. In General, Section 2-12. Procedures for the procurement of architects and engineers, by removing Sub-section (b).

WHEREAS, on June 18, 2012, the St. Charles Parish Council approved Resolution No. 5921, requesting the Louisiana Attorney General's Office provide an opinion concerning the relative authority of the St. Charles Parish President and the St. Charles Parish Council, under the St. Charles Parish Home Rule Charter with regards to the selection of firms for professional services and the hiring of said firms for professional services; and,

WHEREAS, St. Charles Parish received Louisiana Attorney General's opinion #12-0133 on October 3, 2012; and,

WHEREAS, in accordance with Attorney General's opinion #12-0133, the provisions of the St. Charles Parish Code Section 2-12(b) that limits this authority of the President is invalid; and,

WHEREAS, opinion #12-0133 further concludes, therefore, that any part of the St. Charles Parish Code Section 2-12(b) that usurps the authority of the President is void.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Chapter 2, Administration, Article I. In General, Section 2-12. Procedures for the procurement of architects and engineers, be amended by removing Sub-section (b).

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

Amend Code - Chapter 2, Section 2-12, Procure Arch & Eng

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2013-0058

**INTRODUCED BY: WENDY BENEDETTO, COUNCILWOMAN, DISTRICT III
ORDINANCE NO.**

An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of **"KEEP OFF MEDIAN"** signs along the median of Ormond Boulevard, from Highway 61 (Airline Drive) to LA 48 (River Road) in Destrehan.

WHEREAS, vehicles parking on or driving into the median of Ormond Boulevard, Destrehan, from Highway 61 (Airline Drive) to LA 48 (River Road) can cause obstructed views for other vehicles and pedestrians while traveling in either direction; and,

WHEREAS, vehicles parking on or driving into the median is a nuisance to property owners and others in the neighborhood; and,

WHEREAS, vehicles parking on or driving into the median compromises the landscape value and integrity by causing aesthetic deterioration as well as impacting the growth of healthy grass and trees.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. Traffic control signs have been posted by the Department of Public Works since the adoption of Ordinance No. 82-10-9.

SECTION II. In accordance with Section 15-5, Motor Vehicles and Traffic, of the St. Charles Parish Code of Ordinances, the Department of Public Works is hereby authorized to order the erection, removal and location of such traffic control signs, signals, devices and markings as provided in the chapter or any amendments thereto.

NOW, THEREFORE, WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, DO HEREBY ORDAIN that **"KEEP OFF MEDIAN"** signs be installed on the median along Ormond Boulevard, from Highway 61 (Airline Drive) to LA 48 (River Road) in Destrehan.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

KeepOffMedian-Ormond Boulevard

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2013-0059

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance approving and authorizing a Home Occupation under the operation of Lawrence Grabert – "J.T's A/C & Heat" – a heating and air conditioning contractor – at 705 Magnolia Ridge Rd, Boutte.

WHEREAS, the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that home occupations requiring any state license or permit must be approved by the Parish Council; and,

WHEREAS, the home occupation permit requested by Lawrence Grabert requires licensing by the Louisiana State Licensing Board for Contractors; and,

WHEREAS, the St. Charles Parish Planning and Zoning Commission recommended approval of the request at a regular meeting on February 7, 2013.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the request for a home occupation permit by Lawrence Grabert to operate "J.T's A/C & Heat" – a heating and air conditioning contractor – at 705 Magnolia Ridge Rd, Boutte – is approved.

SECTION II. That the Department of Planning & Zoning is authorized to grant said home occupation permit.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZHO-2013-02 requested by Lawrence J. Grabert, Jr. for special permission to operate J.T.'s A/C & Heat, LLC an a/c and heating business at 705 Magnolia Ridge Road, Boutte. Zoning District OL. Council District 4.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

Mr. Gibbs: Next item on the agenda PZHO-2013-02 requested by Lawrence J. Grabert, Jr. for special permission to operate J.T.'s A/C & Heat, LLC an a/c and heating business at 705 Magnolia Ridge Road, Boutte, Zoning District OL. Council District 4. Mr. Romano.

Mr. Romano: Thank you Mr. Chairman. In December, Mr. Grabert completed an application to move the domicile of J.T.'s A/C & Heat, LLC from Avondale to his home in Boutte. The application requires agreeing to the operational regulations listed in Applicable Regulation, and the applicant has been informed that a permit for a home based business does not negate any restrictive covenants that may be on the property. There is no record of complaints or code violations associated with the property.

The request appears before the Planning and Zoning Commission because of the need for a license from the Louisiana State Licensing Board for Contractors.

The business appears to meet the general requirements for home occupations. The Department recommends approval.

Mr. Gibbs: Thank you Mr. Romano. Is there anyone in the audience to speak on PZHO-2013-02?

I'm Lawrence Grabert, Jr. I'm applying for the home occupation.

Mr. Gibbs: Any questions? We wish you luck.

Mr. Grabert: Thank you.

Mr. Gibbs: Cast your vote.

YEAS: Pierre, Foster, Booth, Gibbs, Galliano, Clulee

NAYS: None

ABSENT: Frangella

Mr. Gibbs: That's unanimous with Mr. Frangella absent. Mr. Grabert this has to go to the Council and that meeting will be March 11th.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: HO 2013-02

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Application Date: 12/26/2012
Lawrence Grabert
705 Magnolia Ridge Road
Boutte, LA 70039
jtsacheat@cox.net
- ◆ **Name of Business**
J. T's A/C & Heat, LLC
- ◆ **Applicant's description of business:**
The business is an air condition and heating service company. I repair and install A/C and heating equipment. My home will only be used for office use (phones and computer). I am the only employee and I have one pickup truck that will be used for the business. There will be no shipping or receiving from my home. I pick u-p all material from the supply houses.

SITE – SPECIFIC INFORMATION

- ◆ **Existing Land Use and Zoning:**
Single-family residence in an OL zoning district.
- ◆ **Surrounding Land Uses and Zoning:**
The site is surrounded by single-family residences in OL zoning.
- ◆ **Traffic Access and parking:**
The property is developed with a driveway and garage that can stack six or more passenger vehicles.

APPLICABLE REGULATIONS

Regulations for Home Occupations: Appendix A. Section XXII

B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
 - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
 - b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
 - c. Deny the application.

C. Operational Regulations:

1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
3. There shall be no signs posted which indicate the existence of the home occupation.
4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § 1, 8-18-03)
5. Only the residents of the premises shall be engaged in the home occupation.
6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
8. The home occupation shall not eliminate required off-street parking.
9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

FINDINGS

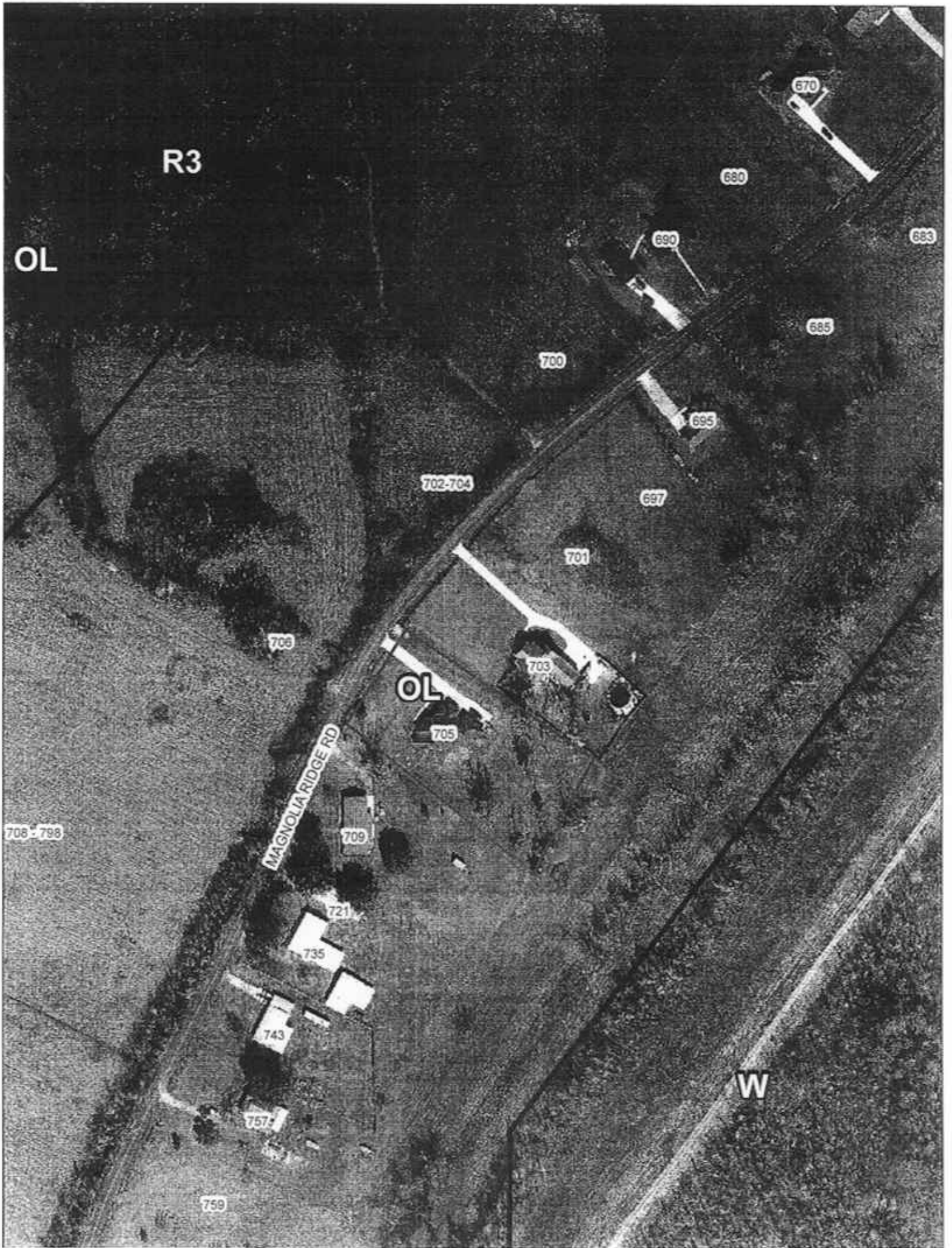
In December, Mr. Grabert completed an application to move the domicile of J.T.'s A/C & Heat, LLC from Avondale to his home in Boutte. The application requires agreeing to the operational regulations listed in Applicable Regulation, and the applicant has been informed that a permit for a home based business does not negate any restrictive covenants that may be on the property. There is no record of complaints or code violations associated with the property.

The request appears before the Planning and Zoning Commission because of the need for a license from the Louisiana State Licensing Board for Contractors.

The business appears to meet the general requirements for home occupations.

DEPARTMENT RECOMMENDATIONS

Approval.



2013-0060

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance approving and authorizing a Home Occupation under the operation of Robert Donald Meyer – "Louisiana Tree Company" – a licensed arborist– at 106 Judy Court, Montz.

WHEREAS, the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that home occupations requiring any state license or permit must be approved by the Parish Council; and,

WHEREAS, the home occupation permit requested by Robert Donald Meyer requires licensing by the Louisiana State Horticultural Commission; and,

WHEREAS, the St. Charles Parish Planning and Zoning Commission recommended approval of the request at a regular meeting on February 7, 2013.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the request for a home occupation permit by Robert Donald Meyer to operate "Louisiana Tree Company"– a licensed arborist – at 106 Judy Court, Montz – is approved.

SECTION II. That the Department of Planning & Zoning is authorized to grant said home occupation permit.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZHO-2013-03 requested by Robert Donald Meyer for special permission to operate Louisiana Tree Company planting, removing and pruning trees at 106 Judy Court, Montz. Zoning District R-1A. Council District 6.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

Mr. Gibbs: Next item on the agenda is PZHO-2013-03 requested by Robert Donald Meyer for special permission to operate Louisiana Tree Company planting, removing and pruning trees at 106 Judy Court, Montz. Zoning District R-1A. Council District 6. Mr. Romano.

Mr. Romano: Thank you Mr. Chairman. In early January, Mr. Meyer completed his application to move his business, Louisiana Tree Company, a licensed arborist, to his residence at 106 Judy Court. Louisiana Tree Company formerly operated as R & J Tree Service domiciled in New Orleans. City of New Orleans reported no code violations were associated with the business.

The request appears before the Planning and Zoning Commission because of the need for licensing by the Louisiana Horticultural Commission, and Louisiana Tree Company is listed as a licensed arborist (12/20/2012 Licensed Arborist List).

The applicant has been informed that zoning compliance for a home occupation does not negate restrictive covenants, and he has indicated that other than office work, business activities occur away from the business.

The Department recommends approval.

Mr. Gibbs: Thank you Mr. Romano. Is there anyone in the audience to speak on behalf of PZHO-2013-03?

I'm Mr. Robert Meyer, I reside at 106 Judy Court. I own Louisiana Tree Company.

Mr. Gibbs: Are you going to have any of the large trucks that you cut the trees down with?

Mr. Meyer: All my heavy equipment is kept in a yard in Kenner.

Mr. Gibbs: That's the only concern I had.

Mr. Meyer: the only thing I have is a pick up truck in my driveway.

Mr. Gibbs: Wonderful. Good Luck to you. Anyone else top speak for PZHO-2013-03? Seeing none, cast your vote please.

YEAS:	Pierre, Foster, Booth, Gibbs, Galliano, Clulee
NAYS:	None
ABSENT:	Frangella

Mr. Gibbs: That's unanimous with Mr. Frangella absent. That also goes to the Council Mr. Meyer on March 11th.

Mr. Meyer: Then what's the next process?

Mr. Gibbs: That should be it.

Ms. Marousek: Then you come to the Department.

St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: HO 2013-03

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** **Application Date: 1/3/2013**
Robert Donald Meyer
106 Judy Court
Montz, LA 70068
504.220.7999 / 985.287.0300 / RDMTrees@yahoo.com
- ◆ **Location of Site:**
Same
- ◆ **Applicant's description of business:**
Louisiana Tree Company: printer, computer, pressure washer, chainsaws, UPS shipping boxes, planting, remove, & pruning trees.

SITE – SPECIFIC INFORMATION

- ◆ **Existing Land Use and Zoning:**
Single-family residence in an R-1A zoning district.
- ◆ **Surrounding Land Uses and Zoning:**
The site is surrounded by site-built, single-family residences and R-1A zoning.
- ◆ **Traffic Access and parking:**
The property is developed with a hard surface that can accommodate as many as four passenger vehicles.

APPLICABLE REGULATIONS

Regulations for Home Occupations: Appendix A. Section XXII

B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
 - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
 - b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
 - c. Deny the application.

C. Operational Regulations:

1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two

- (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
3. There shall be no signs posted which indicate the existence of the home occupation.
4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § 1, 8-18-03)
5. Only the residents of the premises shall be engaged in the home occupation.
6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
8. The home occupation shall not eliminate required off-street parking.
9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

FINDINGS

In early January, Mr. Meyer completed his application to move his business, Louisiana Tree Company, a licensed arborist, to his residence at 106 Judy Court. Louisiana Tree Company formerly operated as R & J Tree Service domiciled in New Orleans. City of New Orleans reported no code violations were associated with the business.

The request appears before the Planning and Zoning Commission because of the need for licensing by the Louisiana Horticultural Commission, and Louisiana Tree Company is listed as a licensed arborist (12/20/2012 Licensed Arborist List).

The applicant has been informed that zoning compliance for a home occupation does not negate restrictive covenants, and he has indicated that other than office work, business activities occur away from the business.

DEPARTMENT RECOMMENDATIONS

Approval.



2013-0061

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance approving and authorizing a Home Occupation under the operation of Wendy and Mark Abate – "Xtreme Inflatables, LLC" – space walk rentals– at 146 Dixie Dr., Des Allemands.

WHEREAS, the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that home occupations requiring any state license or permit must be approved by the Parish Council; and,

WHEREAS, the home occupation permit requested by Wendy and Mark Abate requires annual inspections/approval by the Louisiana State Fire Marshal; and,

WHEREAS, the St. Charles Parish Planning and Zoning Commission recommended approval of the request at a regular meeting on February 7, 2013, with a stipulation that no more than two inflatables may operate at any one time on the subject property.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the request for a home occupation permit by Wendy and Mark Abate to operate "Xtreme Inflatables, LLC"– spacewalk rentals – at 146 Dixie Dr., Des Allemands – is approved.

SECTION II. That the Department of Planning & Zoning is authorized to grant said home occupation permit with the stipulation that no more than two inflatables may operate at any one time on the subject property.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZHO-2013-04 requested by Wendy & Mark Abate for special permission to operate Brother-n-Laws Extreme Inflatables, LLC spacewalks at 146 Dixie Drive, Des Allemands. Zoning District R-1A. Council District 4.

Planning Department Recommendation:

Approval with the stipulation that no more than 2 inflatables are operated on the subject property one time.

Planning Commission Recommendation:

Approval with the stipulation that no more than 2 inflatables are operated on the subject property one time.

Mr. Gibbs: Next item on the agenda is PZHO-2013-04 requested by Wendy & Mark Abate for special permission to operate Brother-n-Laws Extreme Inflatables, LLC spacewalks at 146 Dixie Drive, Des Allemands. Zoning District R-1A. Council District 4. Mr. Romano.

Mr. Romano: Thank you Mr. Chairman. In November 2012, Code Enforcement responded to a complaint regarding an unpermitted business operating at 146 Dixie Drive. In January, the Abates completed an application to use their residence as the home office for Brother-in-Laws Xtreme Inflatables, LLC.

Completion of the application requires agreeing to the operational regulations listed above. The Abates have been informed that zoning compliance for a home based business does not negate any restrictive covenants on the property.

The request appears before the Planning and Zoning Commission because of the need for annual inspection and approval by the Fire Marshal.

Because of noise, the Department recommends that the applicant be restricted to having no more than two (2) inflatables operating at any one time on his property.

The Department recommends Approval with the following stipulation –

No more than two (2) inflatables may operate at any one time on the subject property.

Mr. Gibbs: Thank you Mr. Romano. Is there anyone in the audience to speak in favor of PZHO-2013-04?

Mark Abate, 146 Dixie Drive. I'm Sr. but it's actually my son's business. For the record, no inflatables will be blown up, we clean them at the residence that actually have them for the day unless it's raining or sloppy and it gets blown up and cleaned before the new people have it at their residence. The only time we have them blown up is when we have a party. We don't have that many kids so we blow them up one at a time. We only have so much yard anyway. I'm familiar with this, now I'm out of Kenner, with this I know the regulations we don't do anything to aggravate any of the neighbors.

Mr. Gibbs: How many inflatables do you guys have?

Mr. Abate: 7, 6 but one of them is actually 2 pieces.

Mr. Gibbs: Any other questions? Thank you Mr. Abate. Anyone else in the audience to speak on PZHO-2013-04? Seeing none cast your vote please.

Mr. Booth: With the stipulation no more than 2 are operated on the subject property at one time.

YEAS: Pierre, Foster, Booth, Gibbs, Galliano, Clulee
NAYS: None
ABSENT: Frangella

Mr. Gibbs: That's unanimous with Mr. Frangella absent. That also goes to the Council Mr. Meyer on March 11th.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: HO 2013-04

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Wendy and Mark Abate
146 Dixie Drive
Des Allemands, LA 70030
985.758.3279 / 504.810.3548 / 504.432.6400
Extreme.inflatables@yahoo.com
- Application Date:** 1/5/13
- ◆ **Location of Site:**
Same
- ◆ **Applicant's description of business:**
We are storing seven (7) Space Walks in a 24' x 36' garage. We only put them in the back of a pick up truck and deliver them. No set up required at the home address. All jumpers are cleaned at customers' residences. The only time we have one blown up at our house is for our parties.

SITE - SPECIFIC INFORMATION

- ◆ **Existing Land Use and Zoning:**
Single-family residence in an R-1A zoning district.
- ◆ **Surrounding Land Uses and Zoning:**
The site is surrounded by residential uses and R-1A zoning.
- ◆ **Traffic Access and parking:**
The property is developed with a large driveway, a three-car garage, accessory buildings that can accommodate storage of the business.

APPLICABLE REGULATIONS

Regulations for Home Occupations: Appendix A. Section XXII

B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
 - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
 - b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
 - c. Deny the application.

C. Operational Regulations:

1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
3. There shall be no signs posted which indicate the existence of the home occupation.
4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § 1, 8-18-03)
5. Only the residents of the premises shall be engaged in the home occupation.
6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
8. The home occupation shall not eliminate required off-street parking.
9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

FINDINGS

In November 2012, Code Enforcement responded to a complaint regarding an unpermitted business operating at 146 Dixie Drive. In January, the Abates completed an application to use their residence as the home office for Brother-in-Laws Xtreme Inflatables, LLC.

Completion of the application requires agreeing to the operational regulations listed above. The Abates have been informed that zoning compliance for a home based business does not negate any restrictive covenants on the property.

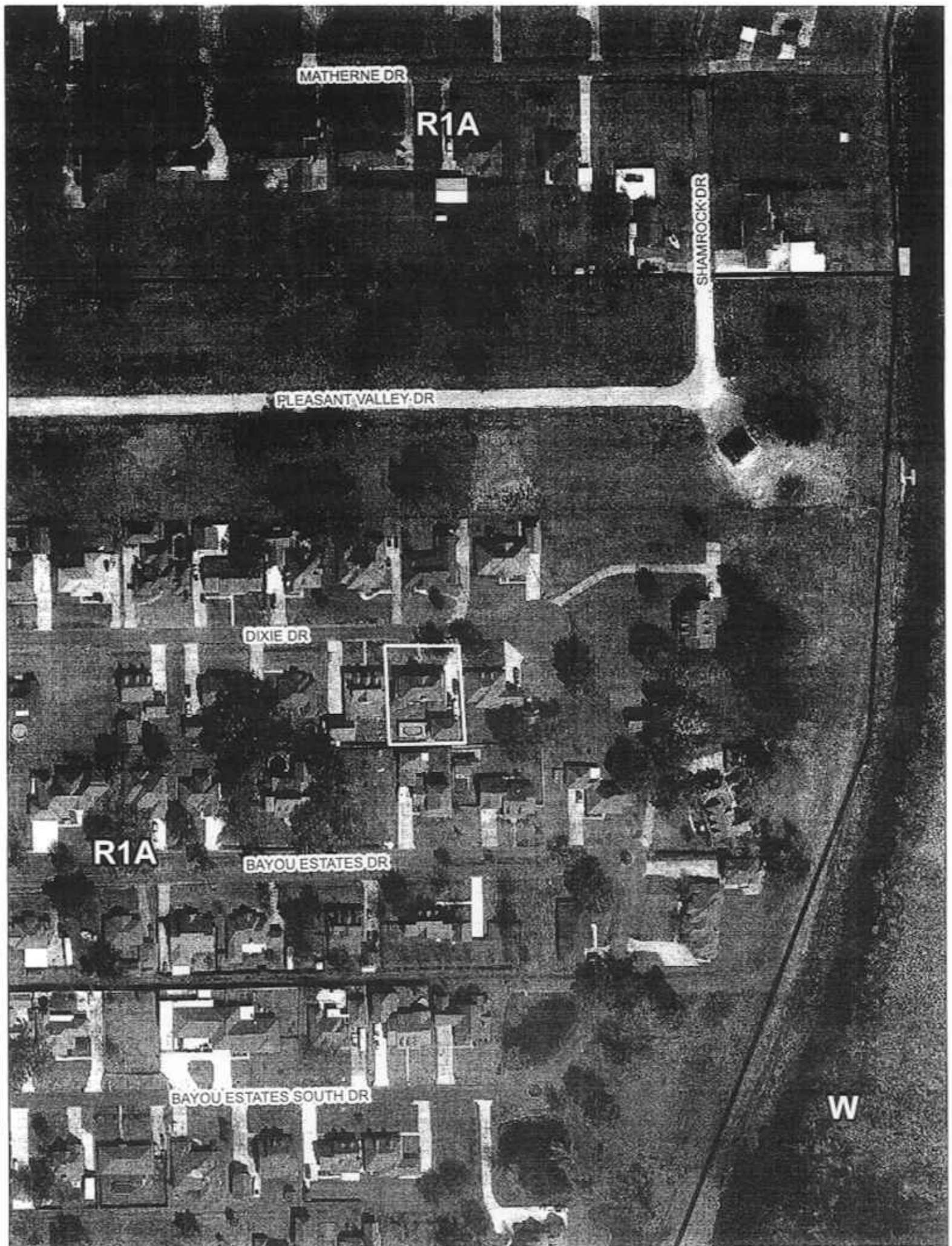
The request appears before the Planning and Zoning Commission because of the need for annual inspection/approval by the Fire Marshal.

Because of noise, the Department recommends that the applicant be restricted to having no more than two (2) inflatables operating at any one time on his property.

DEPARTMENT RECOMMENDATIONS

Approval with the following stipulation:

No more than two (2) inflatables may operate at any one time on the subject property.



2013-0062

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance approving and authorizing a Home Occupation under the operation of Tina Berteau – "Studio 124" – a hair salon– at 124 Ducayet Drive, Destrehan.

WHEREAS, the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that home occupations requiring any state license or permit must be approved by the Parish Council; and,

WHEREAS, the home occupation permit requested by Tina Berteau requires licensing by the Louisiana Cosmetology Board; and,

WHEREAS, the St. Charles Parish Planning and Zoning Commission recommended approval of the request at a regular meeting on February 7, 2013, with a stipulation that the applicant comply with building code requirements.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the request for a home occupation permit by Tina Berteau to operate "Studio 124"– a hair salon – at 124 Ducayet Drive, Destrehan – is approved.

SECTION II. That the Department of Planning & Zoning is authorized to grant said home occupation permit with the stipulation that the applicant comply with building code requirements.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZHO-2013-05 requested by Tina Berteau for special permission to operate Studio 124 a hair salon at 124 Ducayet Drive, Destrehan. Zoning District R-1A. Council District 3.

Planning Department Recommendation:

Approval with the stipulation that the business is in compliance with building codes.

Planning Commission Recommendation:

Approval with the stipulation that the business is in compliance with building codes.

Mr. Gibbs: Next item on the agenda is PZHO-2013-05 requested by Tina Berteau for special permission to operate Studio 124 a hair salon at 124 Ducayet Drive, Destrehan. Zoning District R-1A. Council District 3. Mr. Romano.

Mr. Romano: Thank you Mr. Chairman. Ms. Berteau applied for a permit to operate a one chair, one washbowl, one dryer salon in her home in early January. In addition to the requirement for two additional off-street parking stalls for customers, a home-based salon must meet the requirements of the Cosmetology Board, the State Fire Marshal (Life Safety Code), and the Building Official (Louisiana State Uniform Construction Code).

The applicant is confident that the Cosmetology Board will approve the business. There appears to be adequate area to develop the required parking stalls in the existing circular driveway; however, a site plan at the time of writing has not yet been submitted, I checked the file and I do see one in our file. The applicant is working with the State Fire Marshal and the Building Official to comply with their requirements. Issuance of the home occupation license should be contingent upon the approvals of a site plan, Building Official approval and State Fire Marshal approval.

Ms. Berteau has been informed that zoning compliance for a business will not negate any restrictive covenants that may be on the property.

The Department's recommendation is Approval contingent upon the following:

1. Approval of a site plan
2. Compliance with building codes
3. Compliance with Fire Marshal requirements

Mr. Gibbs: Thank you Mr. Romano. Anyone in the audience to speak on PZHO-2013-05?

My name is Tina Berteau, 124 Ducayet Drive and I am applying for a permit to operate a home based salon. That was submitted.

Mr. Romano: I've been informed that the fire marshal has already been approved as well.

Mr. Clulee: You do understand with the Department the recommendation with those 3 little deals.

Ms. Berteau: I do. Thank you.

Mr. Gibbs: Anyone to speak in favor or against PZHO-2013-05?

Mary Schmidt, 130 Ducayet Drive and I approve the application, I'm in favor of it and I know that Ms. Berteau will abide by all regulations.

Mr. Gibbs: Thank you ma'am.

Paula Skaggs, 104 Hurst Court, I approve Tina Berteau's application and I too am sure that she will abide by all rules.

Mr. Gibbs: Thank you.

Ella Campo, 105 Ducayet Drive. I have no objections to Ms. Berteau's request.

Mr. Gibbs: Thank you.

I'm John Campo, I live at 105 Ducayet Drive, I've lived there for the last 27 years. I am also a home occupational license holder for the last 21 years and I strongly believe that I as part of a growing number of individuals who are doing this across the country and it's becoming a stronger part of our economy. It's a personal belief of mine that the more people that are staying in the neighborhood and working makes my neighborhood safer and I can vouch for that. So I am definitely in favor of this.

Ms. Marousek: Can I make one recommendation since we have the fire marshal approval and the site plan is approved that we just stipulate the building codes under that section.

Mr. Booth: I recommend that we comply with building codes.

Mr. Clulee: I second.

Mr. Gibbs: Cast your vote.

YEAS: Pierre, Foster, Booth, Gibbs, Galliano, Clulee

NAYS: None

ABSENT: Frangella

Mr. Gibbs: That's unanimous with Mr. Frangella absent. That also goes to the Council
Ms. Berteau and that's on March 11.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: HO 2013-05

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Application Date: 12/26/2012
Tina Berteau
124 Ducayet Drive
Destrehan LA 70047
985.764.9396; 985.210.1995; Tberteau11@gmail.com
- ◆ **Name of Business**
Studio 124
- ◆ **Applicant's description of business:**
Hair salon. Will operate by appointment only. No personnel, operated strictly by Tina Berteau. Occasional UPS deliver at home; personal car at home.

SITE – SPECIFIC INFORMATION

- ◆ **Existing Land Use and Zoning:**
Single-family residence in an R-1A zoning district.
- ◆ **Surrounding Land Uses and Zoning:**
The site is surrounded by single-family residences in R-1A zoning.
- ◆ **Traffic Access and parking:**
The property is developed with 65' long driveway that can stack three passenger vehicles. The applicant proposes installing an additional circular driveway; at the time of writing this report, a sketch is being prepared.

APPLICABLE REGULATIONS

Regulations for Home Occupations: Appendix A. Section XXII

B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
 - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
 - b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
 - c. Deny the application.

C. Operational Regulations:

1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
3. There shall be no signs posted which indicate the existence of the home occupation.
4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § I, 8-18-03)
5. Only the residents of the premises shall be engaged in the home occupation.
6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
8. The home occupation shall not eliminate required off-street parking.
9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

FINDINGS

Ms. Berteau applied for a permit to operate a one chair, one washbowl, one dryer salon in her home in early January. In addition to the requirement for two additional off-street parking stalls for customers, a home-based salon must meet the requirements of the Cosmetology Board, the State Fire Marshal (Life Safety Code), and the Building Official (Louisiana State Uniform Construction Code).

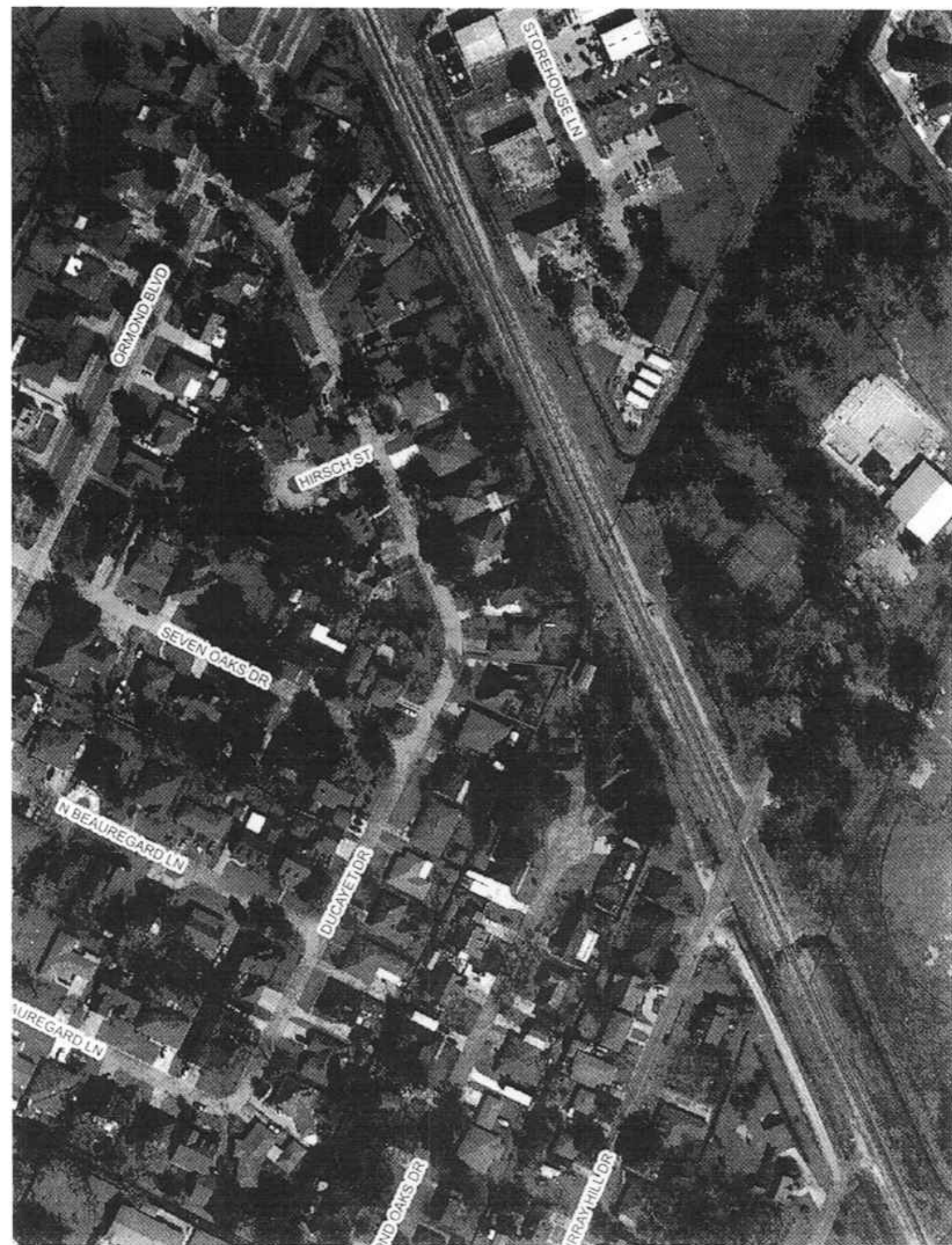
The applicant is confident that the Cosmetology Board will approve the business. There appears to be adequate area to develop the required parking stalls in the existing circular driveway; however, a site plan has not yet been submitted. The applicant is working with the State Fire Marshal and the Building Official to comply with their requirements. Issuance of the home occupation license should be contingent upon the approvals of a site plan, Building Official and State Fire Marshal.

Ms. Berteau has been informed that zoning compliance for a business will not negate any restrictive covenants that may be on the property.

DEPARTMENT RECOMMENDATIONS

Approval contingent upon the following:

- 1. Approval of a site plan**
- 2. Compliance with building codes**
- 3. Compliance with Fire Marshal requirements**



2013-0063

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance approving and authorizing a Home Occupation under the operation of Richard Dupont – “Doberman Security & Alarm Company, LLC” – a security and alarm company– at 81 Rosedown Drive, Destrehan.

WHEREAS, the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that home occupations requiring any state license or permit must be approved by the Parish Council; and,

WHEREAS, the home occupation permit requested by Richard Dupont requires licensing by the Louisiana State Fire Marshal; and,

WHEREAS, the St. Charles Parish Planning and Zoning Commission recommended approval of the request at a regular meeting on February 7, 2013.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the request for a home occupation permit by Richard Dupont to operate “Doberman Security & Alarm Company, LLC”– a security and alarm company– at 81 Rosedown Drive, Destrehan – is approved.

SECTION II. That the Department of Planning & Zoning is authorized to grant said home occupation permit.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZHO-2013-06 requested by Richard Dupont to for special permission to operate Doberman Security & Alarm, LLC a security alarm business at 81 Rosedown Drive, Destrehan. Zoning District R-1B. Council District 3.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

Mr. Gibbs: The next item on the agenda is PZHO-2013-06 requested by Richard Dupont to for special permission to operate Doberman Security & Alarm, LLC a security alarm business at 81 Rosedown Drive, Destrehan. Zoning District R-1B. Council District 3. Mr. Romano.

Mr. Romano: Thank you. In January, Mr. Dupont completed an application to domicile Doberman Security & Alarm Company, LLC, a security and alarm company operating in Mandeville since 2007, at his residence in Destrehan. As it is in the process of being sold to a California Company, Doberman is scaling down operations but needs to remain licensed by all appropriate local and state agencies until the transaction is complete.

The application appears before the Planning and Zoning Commission because of the need for licensing by the Louisiana State Fire Marshal.

The applicant has been informed that granting a Home Occupation does not negate restrictive covenants. The business appears to meet the operational regulations for home occupations. There are no complaints on file at this address or associated with the business.

The Department recommends Approval.

Mr. Gibbs: Thank you Mr. Romano. Is there anyone in the audience to speak on behalf of PZHO-2013-06?

I'm Rick Dupont and that's my house what he says is accurate.

Mr. Gibbs: Thank you Mr. Dupont.

My name is Joe Daley, 4 E. Woodlawn Drive, Destrehan. Some of the residents oppose this commercial venture in a residential area. We feel that once you start this system any lawyer or accountant can start their own business and get approval from you people. It seems fairly easy to get a variance, so I can get a variance and I can sell my house in the commercial property. I think that if this is Mr. Dupont's sole source of income, I don't oppose it, if he has no funds, it would be a hardship for him to get an office, I would like to keep our community and our neighborhood very quiet and more residential. I don't feel that commercial people should be in a residential area. If you feel this is necessary then you will you vote that way. I feel that Mr. Dupont could afford an office or maybe a desk somewhere that the Council or the Parish could offer him. I don't think that having more traffic or more other things in the area are necessary. I think that there are plenty commercial offices available and I would like to see him move somewhere if that's possible.

Rick Dupont: I didn't want to get into all the details of my transaction but because of his concern I want to put that to rest. I acquired this company from my brother in law, he's now deceased. It is not my sole income, it's never been my sole income, I have another day job. Management of the company was being run by other people, so I was basically an investor I was responsible for license holding. We were all like a family and so the decision was whenever you all are ready to close it down, we'll close it down. I have no other employees. If something needs to be serviced, I have a contract employee. There are no vehicles. So there's no product going in and out my house, there's no additional traffic to my house. This business has already been sold of 2/3 to another company, what I represented is correct. I can't afford to go out and hire employees. I have to make sure that the company is accurately and properly licensed. I ask that you go ahead and approve it. My full expectation is by this time next year, there will be no more company. I'm sorry if it's causing you any concern but that is exactly what is going on. If you have any questions or you need some assurances, I can give it to you.

Mr. Clulee: Mr. Dupont what a lot of the neighbors have come up with these home occupations, they're concerned about traffic, they're concerned about trucks and a bunch of traffic and back and forth and all this stuff. I agree with you the way it sounds, the way that you took over this company, inherited it or whatever, you probably going to try to sell it within a year.

Mr. Dupont: I've already sold 2/3's of it. There are some accounts that I have to go through and straighten out so it's in transition and it will be sold in increments over the course of the year as these accounts get straightened out.

Mr. Clulee: You probably needed this because of the state.

Mr. Dupont: Correct. I was told by several people that I could just do it but I wanted to make sure that I was properly licensed and not do anything inappropriate because you never know how things go down if you don't follow the rules.

Mr. Gibbs: Commission members, this is in my district, I did go by the residence, it's a block up from my house. I did a site review. There are no trucks, there's no indication at all that there is even a business being run out of there. Take that into consideration. Is there anyone else to speak on PZHO-2013-06? Seeing none, cast your vote please.

YEAS: Pierre, Foster, Booth, Gibbs, Galliano, Clulee

NAYS: None

ABSENT: Frangella

Mr. Gibbs: That's unanimous with Mr. Frangella absent. That also goes to the Council Mr. Dupont and that's on March 11.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: HO 2013-06

GENERAL APPLICATION INFORMATION

- ♦ **Name/Address of Applicant:** Application Date: 1/7/2013
Richard Dupont
Doberman Security & Alarm Company, LLC
Destrehan, LA 70047
(b) 504.453.4999 (c) 504.473.6586
- ♦ **Location of Site:**
Same
- ♦ **Applicant's description of business:**
I am moving an existing business from Mandeville, LA to Destrehan, LA. The business is being sold and I'm retaining licensing for the year 2103 until the business/transaction is complete. I will no longer actively sell or service accounts except as needed during the transition. .

SITE – SPECIFIC INFORMATION

- ♦ **Existing Land Use and zoning**
Single-family residence in an R-1B district.
- ♦ **Surrounding Land Uses and Zoning:**
The property is surrounded by site-built, single-family residences in R-1B zoning.
- ♦ **Traffic Access and parking:**
The property is developed with a driveway and garage that can accommodate as many as five passenger vehicles.

APPLICABLE REGULATIONS

Regulations for Home Occupations: Appendix A. Section XXII

B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
 - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
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FINDINGS

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The application appears before the Planning and Zoning Commission because of the need for licensing by the Louisiana State Fire Marshal.

The applicant has been informed that granting a Home Occupation does not negate restrictive covenants. The business appears to meet the operational regulations for home occupations. There are no complaints on file at this address or associated with the business.

DEPARTMENT RECOMMENDATIONS

Approval.



2013-0064**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF FINANCE)****ORDINANCE NO. _____**

An ordinance to amend the 2013 Consolidated Operating and Capital Budget to add revenues and associated expenses for Fund 001 – General Fund – District Court –Division C (001-400206), Planning and Zoning (001-400610), Coastal Zone Management (001-400611), General Government Buildings (001-400640), Retired Employees Group Insurance (001-400670), Emergency Operations Subsidiary (001-410711), Fund 105 – Road Lighting, Fund 113 – Recreation, Fund 310 – Westbank Hurricane Protection Levee, and Fund 313 LCDBG Public Facilities Construction Fund in the total amount of \$15,171,107 unexpended in 2012 for various projects and services.

WHEREAS, the 2013 St. Charles Parish Consolidated Operating and Capital Budget was adopted November 5, 2012 by Ordinance No. 12-11-1, and amended January 8, 2013 by Executive Order No. 13-01, and January 29, 2013 by Executive Order No. 13-02; and,

WHEREAS, the Council has taken under consideration the study of the amendment to the St. Charles Parish Consolidated Operating and Capital Budget for fiscal year 2013 as shown by the Revision Schedule.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That in accordance with the provisions of Article V, Sections D, E, and F of the St. Charles Parish Home Rule Charter and with the Louisiana Local Government Budget Act (R.S. 39:1301 et. seq.), the St. Charles Parish Council does hereby amend the 2013 St. Charles Parish Consolidated Operating and Capital Budget, as amended, as per "Exhibit A".

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

ST. CHARLES PARISH

GOVERNMENTAL FUNDS

CONSOLIDATED OPERATING AND CAPITAL BUDGET SUMMARY STATEMENT FISCAL YEAR ENDING DECEMBER 31, 2013

Description	Current Year				Upcoming Year	
	Original Budget	Last Adopted Budget	Actual Year-to-Date (as of June 30th)	Estimate Remaining for Year	Projected Actual Result at Year End	% Change Last Adopted vs Projected Actual
BEGINNING FUND BALANCE	56,945,698	73,643,292			80,138,562	
Prior Period Adjustment						
FUND BALANCE - RESTATED	56,945,698	73,643,292			80,138,562	
CURRENT YEAR REVENUES						
& OTHER FINANCING SOURCES	96,544,890	102,934,311	47,980,061	54,239,093	102,219,154	-0.69%
TOTAL MEANS OF FINANCING	153,490,588	176,577,603			182,357,716	
EXPENDITURES & OTHER FINANCING USES:						
PERSONAL SERVICES	28,559,510	28,559,510	12,135,231	15,423,273	27,558,504	-3.50%
OPERATING SERVICES	13,807,806	13,515,312	4,363,032	10,137,812	14,500,844	7.29%
MATERIALS & SUPPLIES	5,291,692	5,292,312	2,028,510	3,744,927	5,773,437	9.09%
OTHER CHARGES	789,736	785,886	212,658	612,947	825,605	5.05%
DEBT SERVICE	3,788,617	3,788,617	2,957,953	644,814	3,602,767	-4.91%
CAPITAL OUTLAY	52,772,226	76,821,245	9,118,360	38,243,303	47,361,663	-38.35%
INTERGOVERNMENTAL	8,539,913	8,539,913	5,982,127	3,392,975	9,375,102	9.78%
TRANSFERS	17,701,314	17,701,314	772,514	5,066,597	5,839,111	-67.01%
TOTAL	131,250,814	155,004,109	37,570,385	77,266,648	114,837,033	
NET CHANGE IN CURRENT REVENUES & OTHER SOURCES OVER EXPENDITURES & OTHER USES	(34,705,924)	(52,069,798)			(12,617,879)	
ENDING FUND BALANCE	22,239,774	21,573,494			67,520,683	